

Remarks

The applicants have re-written claim 4 in independent form. No new issues arise and no additional claims fees are required since the total number of independent claims is not greater than three.

Claim 1 has also been amended to specify that the containers are aligned with respective selected frames. This was the intended meaning of the original wording, namely that a number of containers are present, and each container is aligned with a respective selected frame (or frames) in the video stream as illustrated in Figure 4, so that one ends up with a video stream having a series of containers lying alongside it at specified positions relative to the frames of the video stream. Within the context of the teachings of the specification it is respectfully submitted that this is how the previously presented wording of claim 1 would have been interpreted. It was never intended that the claim might be interpreted in a way that would allow multiple containers to be associated with the same group of frames. It is respectfully submitted that such amendment places the application in better form for appeal or is otherwise acceptable under 37 CFR 1.116 (3). A similar amendment has been made to claim 9.

The Examiner has rejected the claims over the newly cited reference to Boezeman as anticipated under 35 USC 102(b). In order to meet the test of anticipation, it is essential that

"each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros., Inc. v. Union Oil Co.* , 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987).

The Federal Circuit has also stated:

“An anticipating reference must describe the patented subject matter with sufficient clarity and detail to establish that the subject matter existed and that its existence was recognized persons of ordinary skill in the field of the invention”. ATD Corp. v. Lydall, Inc., 48 USPQ 2d 1321. (Emphasis added)

It is respectfully submitted that the newly cited reference fails to meet this test.

Boezeman is indeed concerned with synchronization of multimedia applications (e.g. video and animation). However, Boezeman works in a different way from that set forth in the present claims.

The present invention is concerned with a multimedia presentation, where, for example, a slide show might appear alongside a video presentation. In a real-life presentation, the presenter would operate a Powerpoint™ slide show manually while giving the presentation. In the multimedia presentation of the invention, instead of seeing the presenter live, viewers see a video presentation accompanying the slide presentation, and an object of the invention is to ensure that the slides are properly presented in synchronism with the accompanying video of the presenter.

Thus, in accordance with the present invention as defined in claim 1, the slides of the animated slide presentation are placed in containers draggable alongside the video frames of the video presentation so that the containers (and hence the slides contained therein) can be aligned with selected frames of the video presentation, thus ensuring that the appropriate slide appears at the appropriate moment in the video presentation.

Boezeman does not teach this. Boezeman relates to the synchronization of multimedia presentations where the video and animation occur sequentially. In the example given, Boezeman teaches how to synchronize a presentation wherein an animation showing the

assembly of a particular part precedes a video presentation showing a 360 degree view of the assembled part. To achieve this, Boezeman places a single animation on one timeline 102 and a single video sequence on a second timeline 106. However, the video appears a single play area 153 (see col. 7, line 55) and there is no teaching of aligning “containers” with selected frames of the video, as defined in claim 1, so that the animated slides can be synchronized to particular points within the video sequence (defined as play area 153 in Boezeman). Clearly, at least the step of dragging containers (plural) containing the slides to align the containers (plural) with respective selected frames (plural) in the video stream so that one ends of with a series of containers (each containing a slide) associated with different frames, is lacking in the teaching of Boezeman, which cannot therefore be regarded as an anticipation under 35 USC 102(b). To meet the limitations of claim 1, Boezeman would have to show someway of aligning more than one animation sequence 131 (Figure 4) with individual frames of the video sequence 153, and clearly that is not possible.

There is no way that Boezeman could achieve the results of the present invention, which permit the user to synchronize the presentation of slides with corresponding video, for example, showing a speaker referring to the slides due to the absence of this feature. Boezeman merely allows an animation (and there is no reference in Boezeman to slides) to be aligned in some way with a video stream so, for example, the video stream will start when the animation has ended.

Claim 4 refers to the alignment of animation events within each slide that are aligned with selected frames associated with the container containing a particular slide. For example, the slide may extend over (be associated with) a group of frames, and particular bullets appearing in the slide may be synchronized with specific events within the group. The

Examiner suggests that col. 7, lines 9-25 and Figure 15 teach this feature, but the applicants are unable to find any such teaching. The passage quoted just teaches that the animation can be placed into the "visibility channel" 102 (which corresponds to one of the timelines defined in claim 4), but there is no teaching that specific atoms or events within the container can be synchronized to specific groups of frames associated with the container. This is a second level of synchronization required for slide presentation, but which is not needed for the type of presentation envisaged by Boezeman, and for which there is clearly no teaching in Boezeman.

Similar remarks apply to claim 9, which in the applicant's respectful submission is allowable for the same reasons as claim 1.

Allowance and reconsideration are therefore earnestly solicited.

Respectfully submitted,



Registration No. 34519
Richard J. Mitchell
Agent of Record

MARKS & CLERK
P. O. Box 957, Station B,
Ottawa, Ontario, Canada
K1P 5S7
(613) 236-9561